

ORIGINAL

C.T.J.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

FILED
U.S. DISTRICT COURT
NORTHERN DIST. OF TX
FT. WORTH DIVISION
Jul
2014 JUL 25 PM 4:04
CLERK OF COURT

UNITED STATES OF AMERICA

v.

No. 4:14-CR-023-A

CHRISTOPHER ROBERT WEAST (01)

PROPOSED VOIR DIRE QUESTION

TO THE HONORABLE JOHN MCBRYDE, UNITED STATES DISTRICT JUDGE:

The United States Attorney for the Northern District of Texas, by and through the undersigned Assistant United States Attorney, and pursuant to the Court's order, provides the Court with the following information. The Court asked the parties to try to agree on a proposed question to the jury panel regarding the issue of viewing child pornography.

The parties have conferred but could not agree on a proposed question.

The government is familiar with this Court's practice to not allow the parties to publish exhibits, including video evidence, during trial. Although the government initially requested an opportunity to publish the child pornography video and images to the jury in the courtroom, the government is now willing to follow the Court's normal practices in this case. Accordingly, the jurors will not review any images or videos until they enter deliberations, after the parties have closed and the charge has been read.

Therefore, the government submits its proposed question to the venire panel regarding the issue of viewing child pornography and the juror's obligation to follow the law:

Part of the evidence in this case will be the images themselves, which the government alleges: (a) constitute child pornography; and (b) that the defendant had something to with, by receiving and/or possessing them, in violation of federal law.

These images may be distasteful, offensive, or unpleasant to view. However, the prospect of having to see distasteful, offensive or unpleasant evidence is not a basis to avoid the responsibility of jury service. Many cases, both criminal and civil, involve unpleasant things. If we excused prospective jurors on the ground that jury duty makes demands - including some unpleasant demands - then we could not function. Moreover, the parties have the right to expect that prospective jurors will not seek to avoid jury service simply because they would rather not serve, or because they would like to avoid some unpleasantness.

Having said that, is there anyone who honestly believes there is some compelling reason why he or she could not be an impartial juror - that is to consider all of the evidence and follow the law - simply because images the government alleges depict child pornography will be presented as evidence in the trial?

Respectfully submitted,

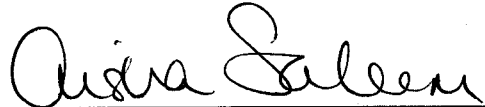
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CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2014, the foregoing Government's Proposed Voir Dire Question was served by hand delivery to Angela Saad at 819 Taylor Street, Room 9A10, Fort Worth, Texas 76102.



AISHA SALEEM
Assistant United States Attorney